

**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
TRIAL**

CASE NO.: CR-08-00004

DATE: June 19, 2008

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: Sara Weber

Court Reporter: Wanda Miles

Courtroom Deputy: Carmen B. Santos

Electronically Recorded: 8:58:47 - 9:26:32
9:41:56 - 11:56:49
1:30:18 - 3:01:28
3:19:54 - 4:38:33

APPEARANCES:

Defendant: Eun Young Lee
Marcelino Laserna
John Duenas
Mary Garcia
Joseph Pangelinan
Francisco Kawamoto
Margaret Untalan

Attorney: Richard Arens
Mark Smith
Cynthia Ecube
Leilani Lujan
Louie Yanza
Stephanie Flores
Rawlen Mantanona

☒ Present ☐ Custody ☐ Bond ☐ P.R.

☒ Present ☒ Retained ☒ FPD ☒ CJA

U.S. Attorney: Karon Johnson

U.S. Agent: K. Klocke, FBI

U.S. Probation: None Present

Interpreter: Sung Woo Yoon

Language: Korean

PROCEEDINGS: Jury Trial - Day 9

- Court ordered that all agents notes are to be provided to defense counsel. Continued cross examination of Agent Kline delayed until after defense counsel have reviewed all the agents' notes.
- Witnesses sworn and examined; exhibits marked and admitted - see attached Exhibit and Witness List, AO Form 187 (and 187a, when applicable).
- Jury Trial (Day 10) continued to: June 20, 2008 at 9:00 a.m.

NOTES:

PRESIDING JUDGE FRANCES M. TYDINGCO-GATEWOOD						PLAINTIFF'S ATTORNEY KARON JOHNSON	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA
HEARING DATE (S) JUNE 9, 10, 11, 12, 13, 2008 JUNE 16, 17, 18, 19, 2008						COURT REPORTER WANDA MILES	COURTROOM DEPUTY CARMEN B. SANTOS
JOINT NO.	PLTF NO.	DEF. NO.	DATE OFFERED	DATE IDENTIFIED	DATE ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
						8:57:47 - Begin Day 9 - June 19, 2008	
						8:58:00 - Witness Kline seated	
	14			6/19/08		Summary chart of license applications accepted by defendants between 2/20/04 and 11/28/05, showing applicant, driver's license number, ITIN, IRS report of each ITIN status, address on application, examiner, time and date application was entered into the MVD computer, date of written test, date of issuance of license	
						Court ordered that all agents notes are to be provided to defense counsel. Continued cross examination of Agent Kline delayed until after defense counsel have reviewed all the agents' notes.	
						9:26:32 - 9:41:56 - reset of audio system because of echo	
						10:04:00 - Agent Klocke seated	
						10:04:26 - Jurors seated	
						10:05:01 - Re-DX by Ms. Johnson	
	2			6/19/08		Licenses issued 1/01/02 - 1/18/06 by ITIN designation	
						Record reflect that Agent Klocke identified Mr. Pangelinan	
	81			6/19/08		Pangelinan's identification of ITIN letters - offered by the Government, page 1 not admitted as reverse side not provided defense or court (Agent Klocke)	
	81-2		6/19/08	6/19/08	6/19/08	Pangelinan's identification of ITIN letters, offered by the Government, admitted, with objection (Agent Klocke)	
	83			6/19/08		ITIN Letter given to Sang Ho Kim by Lee on 1/31/05	
	84		6/12/08	6/19/08	6/12/08	ITIN letter given to Jae Han Seok by Lee on November 30, 2004	
	74			6/19/08		Guam driver's licenses from arrested persons	
						10:37:10 - CX by Mr. Smith	
		U-U	6/11/08	6/19/08	6/11/08	Assignment of ITIN Number - Exhibit U-U offered by Ms. Lujan and admitted without objection (Frank Blaz)	
						10:51:58 - CX by Mr. Mantanona	
	83		6/19/08	6/19/08	6/19/08	ITIN Letter given to Sang Ho Kim by Lee on 1/31/05, offered by Mr. Mantanona, admitted, without objections (Agent Klocke)	
	84		6/12/08	6/12/08	6/12/08	ITIN letter given to Jae Han Seok by Lee on November 30, 2004, offered by the Government, and admitted without objection (Jae Han Seok)	
	40		6/9/08	6/19/08	6/16/08 6/10/08	MVD file for - Ok Sun Kim - offered by Government; Objections made; conditionally admitted 6/10/08, admitted 6/16/08 with objections.	
	11		6/11/08	6/19/08	6/11/08	Fraudulent ITIN letter given to Chun by Lee March 29, 2005, offered by Mr. Arens and admitted without objection	
						11:07:00 - CX by Ms. Flores	
	60		6/9/08	6/19/08	6/16/08 6/10/08	MVD file for - Sang Ho Kim - offered by Government; Objections made; conditionally admitted 6/10/08, admitted 6/16/08 with objections.	
	11		6/11/08	6/19/08	6/11/08	Fraudulent ITIN letter given to Chun by Lee March 29, 2005, offered by Mr. Arens and admitted without objection	
						11:11:15 - CX by Mr. Yanza	
						11:48:30 - Jurors excused for lunch	
						11:56:59 - 1:30:18 - Lunch Break	
						2:08:02 - Jurors seated	
						2:08:35 - Continued CX by Mr. Yanza	
						2:09:21 - CX by Mr. Arens	
		Lee-B		6/19/08		Form 302 - Investigative report of Soo	
						2:26:13 - CX by Ms. Lujan	

PRESIDING JUDGE FRANCES M. TYDINGCO-GATEWOOD						PLAINTIFF'S ATTORNEY KARON JOHNSON	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA
HEARING DATE (S) JUNE 9, 10, 11, 12, 13, 2008 JUNE 16, 17, 18, 19, 2008						COURT REPORTER WANDA MILES	COURTROOM DEPUTY CARMEN B. SANTOS
JOINT NO.	PLTF NO.	DEF. NO.	DATE OFFERED	DATE IDENTIFIED	DATE ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
		U-P	6/10/08	6/19/08	6/10/08	Standard Operating Procedures for the Driver's License Branch, Department of Revenue and Taxation - offered by Mr. Mantanona and admitted without objection (Frank Blaz)	
		G-I		6/19/08		Transcript of Testimony of Special Agent Kenneth R. Klocke, FBI, taken 1/23/08	
						2:48:05 - Re-DX by Ms. Johnson	
						2:51:47 - Re-CX by Mr. Arens	
						2:57:30 - Re-CX by Mr. Yanza	
						2:58:25 - Re-CX by Ms. Flores	
						2:59:25 - Re-CX by Ms. Lujan	
						3:01:28 - Agent Klocke excused; jurors excused	
						3:19:54 - Resume afternoon session	
						3:22:51 - Witness Jung Soo Yang , called and sworn - DX by Ms. Johnson	
						4:02:51 - CX by Mr. Arens	
	11		6/11/08	6/19/08	6/11/08	Fraudulent ITIN letter given to Chun by Lee March 29, 2005, offered by Mr. Arens and admitted without objection	
		Laserna - O		6/19/08		Plea Agreement of Jung Soo Yang, identified by Mr. Arens (Jung Soo Yang)	
						4:30:51 - Jurors excused - return 6/20/08 by 8:45 a.m.	
						4:38:33 - End day 9	